

**City of Miami Beach - City Commission Meeting  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
April 14, 2004**

Mayor David Dermer  
Vice-Mayor Saul Gross  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Jose Smith  
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

**ATTENTION ALL LOBBYISTS**

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

**ADDENDUM**

**C7 - Resolutions**

- C7L A Resolution Authorizing The City Manager To Issue A Request For Qualifications (RFQ) For Building Inspection Services To Develop An Immediate Needs Assessment And A Five Year Plan For Capital Repair, And Replacement Requirements And A Annual Maintenance Requirement Plan To Keep City Facilities In Good Operational Condition.  
(Public Works)

**R9 - New Business and Commission Requests**

- R9K Discussion Regarding Potential Closing Of All Outdoor Cafes.  
(Requested by Commissioner Luis R. Garcia, Jr.)

**CITY OF MIAMI BEACH  
COMMISSION AGENDA ITEM SUMMARY**



**Condensed Title:**

A Resolution authorizing the City Manager to issue an RFQ for building inspection services to develop a five year plan for maintenance and repair needs of City facilities.

**Issue:**

Shall the City of Miami Beach Commission authorize the City Manager to issue a Request For Qualifications for Building Inspection Services?

**Item Summary/Recommendation:**

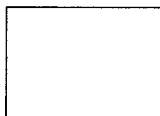
Due to the age, environment, and conditions of city facilities, the Administration requests authorization to prepare and issue an RFQ for building inspection services that would include inspections of electrical, plumbing, HVAC, fire sprinkler, fire alarm, energy management systems and other building operational systems in City facilities. The inspections would also include structural evaluations, ADA assessments, roof surveys, and general conditions of the exterior elements of the facilities. The inspections would be performed by licensed certified inspectors and would include cost estimates for repair or replacement needs as well as estimated maintenance costs to keep facilities in good operational condition. The reports would be prepared to reflect immediate and future needs to help in estimating general maintenance requirements budget or funding requirement of capital repair and replacement cost over a five year plan.

**Advisory Board Recommendation:**

**Financial Information:**

**Amount to be expended:**

**Source of Funds:**



Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

**City Clerk's Office Legislative Tracking:**

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager

C:\My Files\Building Inspections\RFQ Building Inspection Cover.doc

AGENDA ITEM C7L  
DATE 4-14-04

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 14, 2004

**From:** Jorge M. Gonzalez  
City Manager

**Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR BUILDING INSPECTION SERVICES TO DEVELOP AN IMMEDIATE NEEDS ASSESSMENT AND A FIVE YEAR PLAN FOR CAPITAL REPAIR, AND REPLACEMENT REQUIREMENTS AND A ANNUAL MAINTENANCE REQUIREMENT PLAN TO KEEP CITY FACILITIES IN GOOD OPERATIONAL CONDITION.**

### ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

City facilities in Miami Beach range in age from historic buildings from the 1920s to the Police building built in 1987. Many of the parks and beachfront buildings were constructed after World War II. The most modern buildings in the City such as City Hall (27 years old) and the Police Department building (17 years old) have exceeded the expected life-cycle of equipment. An example of this was the replacement of the HVAC system at the Ocean Front Auditorium last year that had been in-place for over 35 years, or twice the life-cycle estimated use of the equipment. Although building systems have been maintained to keep them operational well beyond the life-cycle estimates, these components of buildings can and do fail with time. Additionally, the salt air environment of Miami Beach and the use of beach sand in the mixture of concrete in past times has had a severe impact on exposed mechanical and electrical equipment and the erosion and spalling of concrete on foundations, columns, beams, building exterior envelopes, and structural steel elements of facilities.

Knowledge of facility condition is critical to an effective facility management program and this knowledge can only be attained by facility inspections. A dedicated inspection effort is vital to properly identify real property maintenance and repair deficiencies which will impact the mission or degrade the City's property investment. The City does not have the excess capacity to conduct cyclical full control inspections. These cyclical comprehensive inspections of all City buildings/facilities are essential to a successful property management program. Control inspections will result in the following products:

1. An assessment of facility condition identifying total maintenance and repair requirements
2. Identification of resource needs for budget planning purposes
3. Development of long range (5 year) and annual maintenance plans

Since the City does not have excess capacity, the best way obtain a condition assessment baseline is through contracted inspection services.

The following scope of work will be used for the Building Inspection Services (RFQ):

Scope of services:

To provide inspection services of City facilities to determine immediate and annual capital replacement and maintenance needs to be developed into a five year maintenance and repair plan for each facility. The inspections reports would provide estimated costs for immediate repair needs and deferred needs including any escalation of estimated costs over the five year plan. The report will also be required to provide estimated routine and preventative maintenance schedules for each facility inspected, including estimated manpower requirements per individual trade discipline to maintain the systems in good operation order. Reports will be provided in hard copy and on CD-ROM file formats. Any drawings provided must also be provided in a file compatible with AutoCAD release 12 or higher.

Inspection services are to include evaluations of the following:

Electrical systems including: switchgear, panels, transformers, generators, fire alarm panels, grounding devices, lightning prevention systems, and all associated electrical devices.

Plumbing Systems including: domestic water pumps, motors, sanitary sewer, piping, lift stations, Fire pumps, fire sprinkler systems, valves, and controls.

HVAC Systems including: chilled water system, VAV devices, compressors, evaporators, condensing units, cooling towers, Air handling units, ventilation systems, fresh air supply systems, energy management systems, and any other heating, ventilation, or air conditioning system specific to the facility being inspected.

General Building Inspections including: structural evaluation of foundations, exterior walls, columns, and beams. Inspections will also include windows and glazing, hurricane shuttering systems, exterior doors, perimeter sidewalks, ramps, railing, and building roofs.

Specialty Inspections including: elevators, gun range equipment, UPS systems, and other specialized equipment that may be located in City facilities.

All inspectors must be certified by the State of Florida to perform the inspections of their specific disciplines and must have extensive knowledge of building code requirements and construction cost and maintenance estimation. The City retains the right to determine the specific order in which the buildings will be inspected and further reserves the right to add or delete any items from the inspections due to known building conditions and existing warranties that may be in place.

The Administration recommends that the Mayor and the City Commission of Miami Beach, Florida approve and authorize the City Manager to issue a Request for Qualifications (RFQ) for building inspection services to develop an immediate needs assessment and a five year plan for capital repair, and replacement requirements and a annual maintenance plan.

JMG/RM/FB/baj

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR BUILDING INSPECTION SERVICES TO DEVELOP AN IMMEDIATE NEEDS ASSESSMENT AND A FIVE YEAR PLAN FOR CAPITAL REPAIR, AND REPLACEMENT REQUIREMENTS AND A ANNUAL MAINTENANCE REQUIREMENT PLAN TO KEEP CITY FACILITIES IN GOOD OPERATIONAL CONDITION**

**WHEREAS**, the City of Miami Beach has facilities that are exposed to unique climatic conditions and equipment in facilities that have reached or exceeded the expected life-cycle use; and

**WHEREAS**, a comprehensive building inspection service evaluation and development of a five year maintenance plan is required to develop accurate budget requirements necessary to request grants funding through identified and documented needs, to plan funding requirements based on future escalating construction cost increases, and to document and plan for collateral work that may be required to facilitate required changes in the Building and Fire Codes in order to bring the facilities into current compliance with the Codes; and

**WHEREAS**, the inspection reports would be required to provide for estimated costs for immediate repair needs and deferred needs including any escalation of estimated costs over the five year plan; and

**WHEREAS**, the inspection reports will be required to provide estimated routine and preventative maintenance schedules for each facility inspected, that would include estimated manpower requirements, per individual trade discipline, to maintain the building systems in good operation order over a five year plan; and

**WHEREAS**, the purpose of issuing a Request for Qualifications is to obtain qualifications from professional firms with the capability and experience to provide building certified and licensed inspection services for the required disciplines and to provide professional construction and maintenance cost estimation for immediate needs and for future repair and replacement needs over a five year plan; and

**WHEREAS**, the Administration herein requests that the Mayor and City Commission approve a Resolution authorizing the City Manager to issue an RFQ for building inspection services for City facilities to determine existing conditions, funding needs, a repair and replacement plan, and maintenance requirements over a five year plan.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and City Commission of Miami Beach, Florida authorize the City Manager to issue a Request For Qualifications (RFQ) for building inspection services to develop an immediate needs assessment and a five year plan for capital repair, and replacement requirements and an annual maintenance requirement plan to keep City facilities in good operational condition over a five year plan.

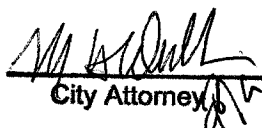
**PASSED, ADOPTED AND APPROVED this 14th day of April, 200\$.**

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

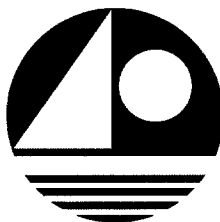
  
\_\_\_\_\_  
City Attorney

4-13-04  
Date

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C: Rcm  
Lilia

RECEIVED  
04 APR 12 PM 3:42  
CITY OF MIAMI BEACH  
OFFICE



**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE M. GONZALEZ**  
**CITY MANAGER**

**FROM: LUIS R. GARCIA JR.**  
**COMMISSIONER**

**DATE: APRIL 12, 2004**

**RE: EMERGENCY ITEM REGARDING SIDEWALK CAFES**

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I would like to place as a discussion item on the April 14<sup>th</sup> Commission agenda, the potential closing of all outdoor cafes.

Please see the attached memorandum from the Florida Department of Transportation.

Attachments

Agenda Item R9K  
Date 4-14-04



# Florida Department of Transportation

RECEIVED

2004 APR 12 PM 3:41

JOSÉ ABREU  
SECRETARY

BY MAYOR/CORPORAL

JEB BUSH  
GOVERNOR

District Maintenance  
1000 N.W. 111<sup>th</sup> Avenue, Room 6214  
Miami, Florida 33172  
(305) 470-5350

March 2004

Dear Business Owner:

This letter is to advise you that unauthorized use of the public right-of-way is prohibited by Florida law. Specifically, the placement of tables, chairs and appurtenances within the sidewalk area constitutes an illegal use of the right-of-way and must be removed immediately.

The Department understands that you may have permits from the City of Miami Beach that allows for the placement of these items within the area of the sidewalk. The City however, has no authority to issue permits within the Department's right-of-way. For several years the Department has attempted to work with the City on the development of a sidewalk Café district, where the placements of tables and chairs could be permitted. However, no final plan has ever been submitted by the City nor approved by the Department.

You are requested to remove your facilities from the public right-of-way. Failure to remove the items listed above may result in a fine up to \$500 or imprisonment of up to 6 months or both. If you have any questions, regarding this notice, please contact Ms. Jean Cann, Roadway Administrator at 305- 470-5350.

Sincerely,

*R. Steiner*

Ronald S. Steiner, P.E.  
District Maintenance Engineer

cc: Jean Cann, Roadway Administrator

*Unauthorized  
use of  
the public  
right of way is  
prohibited by  
Florida law.  
Illegal use of  
the right of way  
is a crime.  
Each day a  
violation  
continues is a  
separate offense.*

Section 337.406, Florida Statutes

## PROHIBITED USES OF THE RIGHTS OF WAY

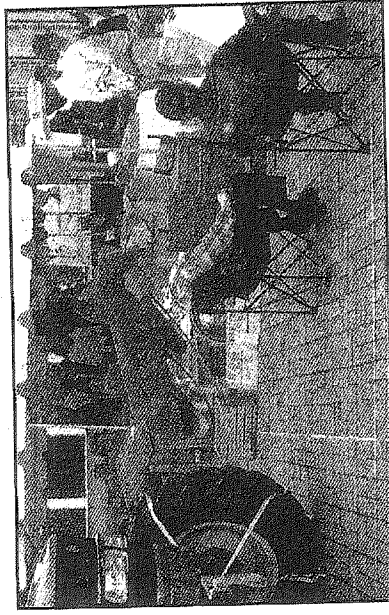
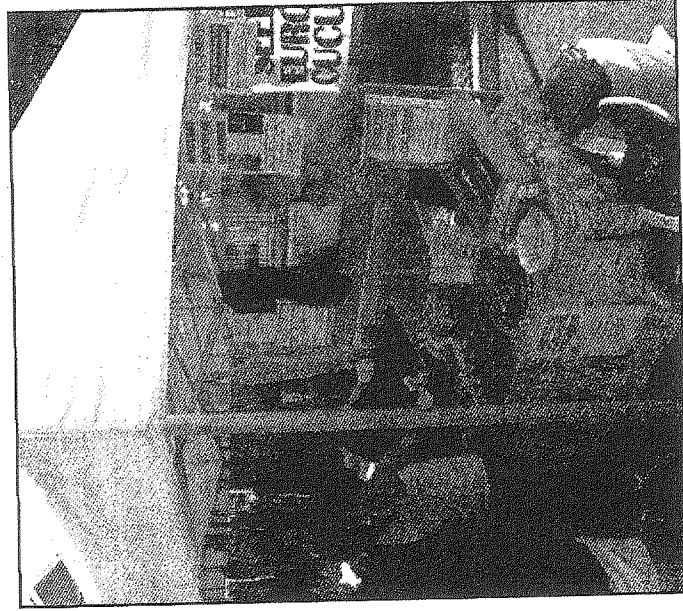
Any use which interferes with the  
safety and efficiency of the road.

Display of advertising of any sort.

Solicitation, including for  
charitable purposes.

Sale, display, or free distribution  
of any merchandise, goods,  
property or services.

Storage, servicing or non-emergency  
repairing of vehicles.



## USES OF THE RIGHTS OF WAY THAT MAY BE ALLOWED BY PERMIT

Note: None of these uses are allowed  
on Interstate Highways.

Art festivals, parades, fairs, or  
other special events.

These may be allowed with a permit from the appropriate county or city government. Road closure by the county or city government requires FDOT approval. Temporary banners or similar devices may be allowed upon approval by local government and FDOT.

### Temporary uses allowed by cities.

Cities may issue permits within their limits to allow uses which are ordinarily prohibited if the use is of limited duration, will not interfere with the safe and efficient movement of traffic and will cause no danger to the public.

### Sales from vehicles standing on the right of way to occupants of abutting properties.

Such sales are permitted by persons holding valid peddlers' licenses issued by a county or city.

### Solicitation for non-profit organizations.

Permits for solicitation for non-profit organizations may be issued by local governments.

## WHY IS THE USE OF THE PUBLIC RIGHT OF WAY REGULATED?

Regulation of activities occurring within the right of way is necessary to help prevent:

- Distractions to motorists
- Unsafe pedestrian movement within travel lanes
- Sudden stoppage or slowdown of traffic
- Rapid lane changing and other dangerous traffic movements
- Increased vehicular accidents
- Motorist and pedestrian injuries and fatalities

## WHAT IS THE RIGHT OF WAY AND HOW DO I KNOW WHERE IT IS?

The right of way for a road or other transportation facility is the paved area of the road, the road shoulders, sidewalks, swales, and all the other property adjacent to the road owned by the government for the construction and operation of the road or other facility. It may extend far beyond the paved road surface and may or may not be mowed or fenced.

Maps showing the location of the right of way for state roads are available from the Florida Department of Transportation. Maps for local streets and roads are available from the appropriate county or city offices.



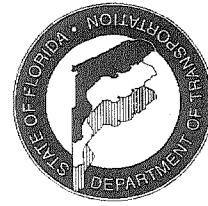
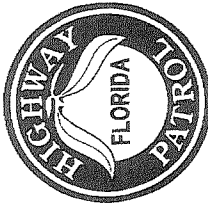
The Florida Highway Patrol, the Florida Department of Transportation, and local law enforcement agencies monitor the use of the public rights of way and may issue citations when unauthorized uses are found.

Each offense may result in a fine of up to \$500 or imprisonment of up to 6 months or both.

Local ordinances may impose additional fines.

Each day an unauthorized use continues is a separate offense.

If you have questions or would like to report illegal use of the right of way, please call the FDOT State Maintenance Office at (850) 488-8815.



# GUIDELINES

# GUIDELINES

## FOR THE USE OF FLORIDA TRANSPORTATION RIGHTS OF WAY